

CHAPTER 24

STREETS AND SIDEWALKS

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Article I. In General

Section 24-1. Supervisor of streets and sidewalks.

There shall be appointed by the Mayor and confirmed by the Council a supervisor of streets and sidewalks whose duty is shall be to see that the provisions of this chapter are faithfully carried out and who shall perform other and further duties as may be prescribed by the mayor and council from time to time.

Section 24-2. Shade trees.

It shall be the duty and responsibility of any person owning, having charge or control of any property abutting any street or right of way of the City, to care for, prune, remove or maintain any tree or trees that are in the City street or right of way, such that said tree or trees do not become a safety hazard to traffic, pedestrians or adjoining property. The responsible party shall also take whatever measures are necessary to prevent trees from damaging pavement or sidewalks. Any trees in the City streets or rights of way may be removed by the adjoining property owner if it has been determined that said tree is a safety hazard and upon receipt of written permission by the City. Any damage caused by the failure of the responsible party to comply with this section shall become the liability of said responsible party. If the responsible party fails to maintain a tree in a safe condition the City shall have the option to do whatever is necessary to remedy the unsafe condition and the expense of the work performed by the City shall be borne by the responsible party. (Adopted by Ordinance number 84-8 June 6, 1984.)

Section 24-3. Liability for repair of sidewalk.

Whenever a sidewalk is out of repair due to the act or omission of any person, the same shall be repaired at his expense under the direction of the supervisor of streets and sidewalks.

Section 24-4. Defects to be reported and repaired.

All defects in public streets coming to the knowledge of any officer or person in the employ of the city shall be by him at once communicated to the supervisor of streets and sidewalks and he or some competent person detailed by him shall, without delay, repair or cause such defect to be immediately repaired. Until such repair is completed he shall do whatever shall be necessary to protect the public from injury by reason of

the defect.

Section 24-5. Building material in street.

It shall be unlawful for any person to occupy or use any portion of the public streets for the erection or repair of any building upon land abutting thereon, without first making application to and receiving from the council a permit for the occupation or use, for building purposes, of such portions of streets and for such periods of time and under such limitations and restrictions as may be required by the council; provided, that no permit shall be granted to occupy more than fifteen feet of any street, measured from the curb line, and any such permit may be revoked by the council at any time when the holder thereof fails to comply with any rule or regulation under which it is granted or when in the opinion of the council, the public good required such revocation.

Section 24-5a. Private Improvements to Streets and Sidewalks.

It shall be unlawful for any person to make any improvements, changes or obstructions to

city streets rights-of-way or sidewalks without the first making application to and receiving written approval from the City. Mailboxes are exempt from the provisions of this Section, if they are installed in such a manner that they do not obstruct any portion of a sidewalk or street and do not create any other safety hazard. Any person who has made improvements or changes to City streets, rights-of-way or sidewalks or who have placed obstructions upon the same, without City approval, shall immediately restore the street, right-of-way or sidewalk to its original conditions, upon receiving notice from the city. Persons who fail to promptly restore the street, right-of-way or sidewalk to its original condition, after having received notice to do so, shall be guilty of a misdemeanor.

Section 24-6. Obstructions generally.

It shall be unlawful for any person to put or place or cause to be put or placed anywhere upon a public street or sidewalk, and it shall be unlawful for any such person, after reasonable notice by the chief of police or any police official, to suffer to be or remain in front of his premises, upon the sidewalk, on the half of the street next to such premises:

1. Any broken ware, glass, filth, rubbish or refuse matter, on the half of the street next to such premises;
2. Any wagons, old automobile, lumber, wood, boxes, fencing, building material, merchandise or other things which shall obstruct such public streets or sidewalks, or any part thereof, or the free use and enjoyment thereof, or the free passage over and upon the same, or any part thereof, without the permission of the council;
3. Any goods, ware, or merchandise, for sale or show, otherwise, beyond three feet of the front line of the lot where such goods, wares or merchandise may be exposed.

No person receiving or delivering goods, wares or merchandise in the city shall place or keep upon, or sue for to be placed or kept upon, any sidewalk in the city any goods, wares or merchandise which he may be receiving or delivering, for a longer period than two hours. (R.O. 1955, Sections 15-1 and 15-3.)

Section 24-7. Sales attracting crowds on sidewalk. *3

It shall be unlawful for any merchant, auctioneer or other individual to sell or exhibit for sale any kind of property on or near to any street so as to cause people to gather in crowds on the sidewalk or to obstruct free passage thereon. (R.O. 1955, Section 15-11)

*3 For state law authorizing city to regulate sales and merchandising on streets, see U.C.A., 1953, Section 10-8-29.

Section 24-8. Playing on sidewalk or in streets. *4

It shall be unlawful for any person to obstruct any sidewalk or street by games of any kind, playing ball, quoits, marbles, jumping, rolling hoops, flying kites or roller skating, so as to annoy or obstruct the free travel of any pedestrian or vehicle.

*4 For state law authorizing city to prohibit or regulate pastimes in streets, see U.C.A., 1953, Section 10-8-69.

Section 24-9. Driving or riding on the sidewalk.

It shall be unlawful for any person to drive or operate any vehicle or cycle or lead, ride or drive any animal upon any sidewalk in the city. (R.O. 1955, Section 15-4)

Section 24-10. Coasting on streets.

It shall be unlawful for any person to coast or slide with any sled, sleigh, toboggan or vehicle upon any public street, avenue, sidewalk or alley within the city; provided, that the council, by public notice or proclamation, may authorize the use of certain streets for coasting during the winter season. During upon such streets as may be designated by the proclamation or notice shall be permissible.

Section 24-11. Gates to swing inward.

It shall be unlawful for any person to allow or cause any gate to open outward and upon the sidewalk.

Section 24-12. Erection of signs, etc.

It shall be unlawful for any person to erect or construct any sign, sign post, sign board, wood or metal awning, permanent advertisement, arch or any other structure, above, over, in or around any part of any street or sidewalk in the city, without first obtaining permission so to do from the city council. Application for such permission shall be in writing, and shall contain the name of the person for whose benefit the same is made, the period of time for which such permit is so desired, the dimensions thereof, the material of which the same is to be composed, and the manner of construction; which application shall be accompanied by a blue print or drawing or tracing of such proposed sign or other structure. Each sign shall be installed in accordance with the requirements of the building inspector and building code, and meet the required specifications as to materials and construction. (R.O. 1055, Section 15-13)

It shall be unlawful for any person to construct, erect or maintain any streamers,

banners, or signs, or suspend the same over any public street or alley of this city without obtaining a permit so to do from the city council, applications for which shall specify the width and length of said streamers, banners, or signs, the height the same shall be suspended from the pavements, and the length of time the same is desired to remain. (R.O. 1955, Section 15-12.)

Section 24-13. Sand, gravel, lime, cement, etc.

It shall be unlawful to place or pile or cause or permit to be placed or piled any sand, gravel, lime, cement, mortar, plaster, concrete or any like substance or mixture or allow the same to remain on any portion of any paved street or sidewalk in the city or to make or mix or like substance or mixture on any portion of any paved street or sidewalk in the city without first obtaining a permit therefore from the supervisor of streets and sidewalks. (R.O. 1955, Section 15-9.)

Section 24-14. Weeds. *5

It shall be unlawful for any owner, agent or tenant of any property, lands or real estate to fill, refuse or neglect to remove and destroy all weeds, rank grass, growths, rubbish, etc., from in front of or on any part of such property. In case of such failure, refusal or neglect, the supervisor of streets and sidewalks may cause such to be removed and destroyed and charge the costs thereof to the property owner.

*5 For state law authorizing city to require property owners to remove weeds from property and in front thereof, see U.C.A., 1953, Section

10-8-23.

Section 24-15. Irrigation water.

All owners or occupants of lots in the city requiring water from a main ditch for irrigation or other purposes are hereby required to dig suitable ditches, erect flumes or lay pipes and maintain the same to convey the water across the sidewalk to or from their respective lots.

It shall be unlawful for any person to allow or cause any irrigation water to overflow or be directed upon the street of the city. (R.O. 1955, Section 15-2.)

Section 24-16. Sidewalks to be swept in front of business houses.

It shall be unlawful for the owners or occupants of places of business within this city to fail to cause the sidewalk abutting thereon to be swept or cleaned each morning before the hour of nine o'clock a.m. (R.O. 1955, Section 15-5.)

Section 24-17. Trees injuring sidewalks.

It shall be the duty of any property owner or attendant in charge of property to notify the city in writing immediately upon discovering that the sidewalks in front of the premises is being raised by roots growing from trees immediately adjacent to the property and it shall then be the duty of the city to trim such roots for the protection of the sidewalk.

If any property owner shall fail to notify the city and allow the sidewalk to be raised by roots immediately adjacent to his property so as to become dangerous to users thereof, the city shall cause the sidewalk to be restored and the roots trimmed and all costs therefore shall be charged to the property owner.

Section 24-18. Removal of snow from sidewalk.

It shall be unlawful for any person owning, having charge or control of or occupying any property, building, lot, part of lot, land or real estate abutting on any street of the city to fail, refuse or neglect to remove promptly and affectedly every snowfall from the sidewalk in front of such property. In case of failure, refusal or neglect, the supervisor of streets and sidewalks may cause the removal of the snow and charge the cost thereof to the property owner.

Section 24-19. Parking regulations.

- a. **Parking after snowstorms prohibited:** It shall be unlawful for any person to park or leave unattended on a City road, street or alley, any motor vehicle, trailer or other item of personal property during the period within twenty-four hours after freshly fallen snow accumulates on said streets. This period of no parking is designated as the period necessary for the street department to remove the snow from the streets of the City. Once snow is removed from a particular street, parking will then be permitted in that area if parking is otherwise allowed on that street.
- b. **Truck parking regulations:** It shall be unlawful for any person to park or leave standing on any City road, street or alley a semi-truck or trailer, except for the commercial delivery or loading of cargo, and for such purposes the parking or standing shall be limited to a period not in excess of four hours. Semi-truck is defined as any vehicle or trailer combination that has at least three (3) axles and is of the type commonly used for commercial purposes and intended to be used in tandem with a tractor or motorized vehicle. The Grantsville City Police Department after making a reasonable effort to locate the driver or owner to remove the semi-truck or trailer, is empowered to effect removal and impoundment of the semi-truck or trailer that is in violation of this section and the cost of removal and impoundment shall be charged to the owner, driver or person claiming the impounded vehicle or trailer. Nothing herein shall be construed to abrogate the provisions of the Uniform Fire Code in its application to semi-trucks or trailers hauling flammable or other dangerous products and the parking of such vehicles shall be prohibited in the manner set forth therein.
- c. **Park Street parking regulations:** It is unlawful for any person during the hours of 7:00 a.m. to 5:00p.m., Monday through Friday to park or allow to be parked a motor vehicle, trailer or other item of personal property along the east side of Park Street within 179 feet of Main Street, except during such times as the driver or passenger of said vehicle is a patron of the Old Grantsville City Hall. It is unlawful for any person between the hours of 7:00 a.m. to 5:00 p.m. Monday through Friday to park or allow to be parked a motor vehicle, trailer or other item of personal property on the west side of Park Street within 179 feet of Main Street for more than fifteen minutes. Patron means a person who enters the Old Grantsville City Hall for official business.
- d. **Hale Street parking regulations:** It is unlawful for any person to park or allow to be parked a motor vehicle, trailer or other item of personal property along Hale Street south of Cherry Street as follows: no vehicles, trailers or other items of personal shall be parked along the west side of Hale Street within 287 feet south of Cherry Street for a period of time longer than four continuous hours. No vehicles, trailers or other items of personal property shall be parked along the East Side of Hale Street within 125 feet of Cherry Street.
- e. **Quirk Street parking regulations:** It is unlawful for any person to park or allow to be parked a motor vehicle, trailer or other item of personal property along the West side of Quirk Street within 230 feet of Main Street.
- f. **Center Street parking regulations:** It is unlawful for any person between the hours of 8:00 a.m. to

5:00 p.m., Monday through Friday, to park or allow to be parked a motor vehicle, trailer or other item or personal property for more than sixty minutes on the east side of Center Street within the first 302 feet south of Main Street. The regulations of this paragraph shall not apply on those days when the Grantsville Elementary School is not in session and students are not in attendance.

- g. **Cherry Street parking regulations:** It is unlawful for any person between the hours of 7:00 a.m. to 3:00 p.m., Monday through Friday, to park or allow to be parked a motor vehicle, trailer or other item of personal property for more than sixty minutes on both sides of Cherry Street within the first 804 feet west of Quirk Street. The regulations of this paragraph shall not apply on those days when the Grantsville High School is not in session and students are not in attendance.
- h. **Kearl Street parking regulations:** It is unlawful for any person to park or allow to be parked a motor vehicle, trailer or other item of personal property along either side of Kearl Street between Main and Clark Streets.
- i. **Willow Street Parking Regulations.** It is unlawful for any person to park or allow to be parked a motor vehicle, trailer or other item of personal property along the west side of Willow Street, along the first 727 feet of roadway located directly south of the southwest corner of the intersections of Willow and Pear Streets in Grantsville City. It is also unlawful for any person to stop in the southbound lane or on the west edge of the foregoing described 727 feet of Willow Street for the purpose of loading or unloading passengers.
- j. **Definitions, impound fees and penalties:** For the purposes of this Sections, park or parking means the standing of a vehicle or other item of personal property, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading passengers. If a vehicle or other personal property is towed away, removed or impounded pursuant to this provisions of this Section, all of the fees for towing, impoundment and storage shall be paid in full before said vehicle or personal property is released to its owner. Persons who violate the provisions of this Section shall be guilty of a Class "C" Misdemeanor as designated by the laws of the State Utah. The provisions of this Section shall not apply to that portion of Main Street, which is designated as a Utah State Highway.

Section 24-20. Littering.

- a. It shall be unlawful for any person to throw, deposit, or discard, or to permit to be dropped, thrown, deposited, or discarded upon any public road, highway, park, recreation area or other public or private land, or waterway, any glass bottle, glass, nails, tacks, wire, cans, barbed wire, boards, trash or garbage, papers or paper products or any other substance which would or could mar or impair the scenic aspect or beauty of such land in the City, whether under private, state, county, municipal, or federal ownership without the permission of the owner, or persons having control or custody of the land.
- b. Any person who drops, throws, deposits, or discards, or permits to be dropped, thrown, deposited or discarded, upon any public road, highway, park, recreation area or other public or private land or waterway any destructive, injurious or unsightly material shall immediately remove the same or cause it to be removed and deposit the material in a receptacle designed to receive such material.
- c. Any person distributing commercial handbills, leaflets or other advertising shall take whatever measures are reasonably necessary to keep such material from littering public or private property or public roadways.
- d. Any person removing a wrecked or damaged vehicle from a public road, highway, park, recreation area or other public or private land shall remove any glass or other injurious substance dropped upon the road or highway or in the park, recreation area or other public or private land from such vehicle.
- e. It shall be unlawful to throw any lighted material from a moving vehicle.
- f. Any person transporting loose cargo or material by truck, trailer or other motor vehicle shall secure such cargo in such a reasonable manner as well prevent the cargo from littering or spilling on either

- public or private property of public roadways except as provided in Subsection (j)(4) and (5) herein.
- g. Any person in charge of a constructions or demolition site shall take those steps as reasonably necessary to prevent the accumulation of litter at the construction or demolition site.
 - h. Each operator of a park, campground, trailer park, drive-in restaurant, gasoline service station, shopping center, grocery store parking lot, tavern parking lot, parking lots of industrial firms or fueling station, shall maintain sufficient litter receptacle on said premises to accommodate the litter that accumulates there.
 - i. A vehicle may not be operated or moved on any public road or highway unless the vehicle is constructed or loaded to prevent its contents from dropping, sifting, leaking, or otherwise escaping and no operator of such a vehicle shall drive the same upon a public road or highway when the contents of the vehicle or any other material is dropping, sifting, leaking or otherwise escaping or falling off of the vehicle or from its tires and upon a public road or highway.
 - a. In addition to the requirements under Subsection (I), a vehicle carrying dirt, sand, gravel rock fragments, pebbles, crushed base, aggregate, scrap metal, manure or any other similar material shall have a covering over the entire load unless:
 - 1. The highest point of the load does not extend above the top of any exterior wall or sideboard of the cargo compartment of the vehicle; and the outer edges of the load are at least six inches below the top inside edges of the exterior walls or sideboards of the cargo compartment of the vehicle.
 - 2. The following materials is exempt from the provisions of subsection (j): hot mix asphalt; construction debris or scrap metal if the debris if scrap metal is a size and in form not susceptible to being blown out of the vehicle; material being transported across a highway between two parcels of property that would be contiguous but for the highway that is being crossed; or the material listed is enclosed on all sides by container, bags, or packaging.
 - 3. A chemical substance capable of coating or bonding a load so that the load is confined on a vehicle, may considered a covering for purposes of subsection (j) so long as the chemical substance remains effective at confining the load.
 - 4. An authorized vehicle performing snow removal services on a highway is exempt from the requirements of subsection (j) of this section.
 - 5. This section does not prohibit the necessary spreading of any substance connected with highway maintenance, construction, securing traction, or snow removal.
 - b. A person may not operate a vehicle with a load on any highway unless the load and any load covering is fastened, secure and confined to prevent to covering or load from becoming loose, detached, or in any manner a hazard to the safe operation of the vehicle, or to other highway users.

Section 24-21. Speechmaking on street prohibited; exception.

It shall be unlawful for any person to hold, conduct or address an assemblage, meeting or gathering of persons or to make or deliver any public speech, sermon, lecture or discussion or to conduct or take part in any public debate or discussion, in or upon any public street or alley within the city, except such person shall have first obtained a permit in writing to do so from the City Council. (R.O. 1955, Section 15-10.)

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ARTICLE II. ENCROACHMENTS *7

*7 For state law authorizing city to

prevent and remove encroachments, see U.C.A., 1953, Section 10-8-11.

Section 24-22. Notice to remove - by whom given.

If any street is encroached upon by a fence or building or otherwise, the supervisor of streets and sidewalks shall, in writing, require the encroachments to be removed.

Section 24-23. Same - to whom given; posting; contents.

Notice must be given to the occupant or owner of the land or person causing or owning the encroachments or be left at his place or residence, if he resides in the city; if not, it must be posted on the encroachment, specifying the breadth of the street, the place and extent of the encroachment and requiring the removal thereof within ten days thereafter.

Section 24-24. Failure to remove after notice, removal by supervisor of streets and sidewalks.

It shall be unlawful to leave, or cause to be left, any encroachment upon the streets of the city after the expiration of ten days from the service or posting of a notice to remove such encroachment. If the encroachment is such as too effectually obstruct and prevent the use of the highway for vehicles, the supervisor of streets and sidewalks shall forthwith remove the same.

If the encroachment is not denied but is not removed for five days after the notice is complete, the supervisor of streets and sidewalks shall cause such encroachment to be removed at the expense of the owner, occupant or person controlling the same and recover his costs and expenses in an action for that purpose.

Section 24-25. Action to abate.

If the encroachment is denied and the owner, occupant or person controlling the matter or thing charged with being an encroachment refused either to remove or permit the removal thereof, the council shall direct the city attorney to commence in the proper court an action to abate same as a nuisance.

ARTICLE III. EXCAVATIONS

Section 24-26. Excavations to which article not applicable.

The following types of excavations do not come within the scope of this article:

Excavations of any kind in city streets in projects designed, contracted for and inspected by the city engineer.

Section 24-27. Permit required; application; revocation.

It shall be unlawful for any person to dig up, break, excavate, tunnel, undermine or in any manner break up any street or to make or cause to be made excavations in or under the surface of any street for any purpose or place, deposit or leave upon any street any earth or any excavated material obstructing or tending to interfere with the free use of the street, unless such person shall first have obtained an excavation permit therefore from the city inspector. Any public

utility regulated by the state or holding a franchise from the city which, in the pursuit of its calling, has frequent occasion to open or make excavations in streets may; upon application, receive a general permit from the city inspector to cover all excavations such utility may make within the streets of the city. Permit fees shall accompany the application, except for fees under general permits, which shall be paid monthly as herein provided. All permits shall be subject to revocation and the city inspector may refuse to issue a permit for failure of the permitted, or applicant, to abide by terms and conditions of this article. Excavation permits shall not be required prior to an excavation in case of emergency, endangering life or property, providing the city inspector is notified as soon as practicable and a permit is applied for upon the next regular working day following the emergency.

Excavations applications will be accepted only from state licensed contractors having city business licenses and evidence of an adequate liability bond in force and from utility companies franchised in the city. (R.O. 1953, Sections 15-6 and 15-8.)

Section 24-28. Permit fees.

- a. For a permit for any single excavation, within a City street or right of way, the fee shall be \$25.00 plus any applicable inspection fee or service fee for City services performed at the excavation.
- b. For a permit for excavating more than 100 lineal feet or a series of exploratory or repair holes, in a City street or right of way, the fee shall be \$25.00 for each 100 lineal feet or fraction thereof, plus any applicable inspection or service fee.

Section 24-29. Bond. (6-23-99)

Each contractor or excavator who is issued a permit to excavate in a City street or right-of- way shall at the time of issuance of the permit, furnish to Grantsville City a performance bond in an amount of at least \$2,000.00. For the purpose of assuring that the street or right-of- way is restored in a satisfactory manner as provided for herein and according to City specifications. The excavation bond shall continue in effect for a period of two years following completion of the work. The City Streets Department supervisor may establish a bond amount of more than \$2,000.00, if the excavation covers more than 10 lineal feet or the excavation has a potential of causing more than \$2,000.00 damage to a street or right of way. A contractor or excavator that expects to routinely excavate in City streets or rights-of-way, may post a blanket excavation bond to cover more than on excavation. Said Blanket Excavation Bond shall be for an amount of not less than \$10,000.00, but may be increased upon a recommendation by the city Maintenance Department Supervisor, depending upon the number of past or proposed excavations or the extent of work to be performed in city streets. A blanket excavation bond shall assure that the streets or rights-of-way will be restored in a satisfactory manner as provided for above and shall continue in effect for a period of two years following completion of any individual excavation. The City Recorder and Attorney shall review each blanket bond as to form to insure that it will continue in effect for the required period.

Section 24-30. Specifications. (Amended March 7,1979)

1. Preparation: The street pavement shall be cut and removed to a neat lime at a minimum of

four inches outside of the lines forming the sides of the trench or trenches less than thirty-six inches in depth and a minimum of six inches on trenches more than thirty-six inches in depth. Concrete sidewalks and driveways shall be cut vertically along the lines forming the trench. The portion to be removed shall be broken up in such a manner that will not cause damage to the pavement outside the limits of the trench. However, any pavement damaged by operations outside the limits of the trench shall be replace. All waste material result in from the operations shall be removed immediately from the site of the work.

2. Backfill: Materials for backfill will be of select nature. All broken concrete, peat, decomposed vegetable matter and similar materials obtained from the excavation shall be removed from the site prior to beginning backfilling. All backfill shall be placed in layers not over eight inches loose measure, in thickness. Compaction shall be obtained by mechanical rollers, mechanical tampers or similar means. Material for backfilling shall be properly moistened or watered to the correct moisture content to insure proper compaction. Jetting or internal vibrating methods of compacting sand fill or similar methods of compacting sand or similar granular, free-draining materials will be permitted.

The density (dry) of the backfill in city streets under sidewalks, curbs or other

structures shall be not less than ninety per cent of the laboratory standard maximum soil density (dry), as determined by compaction test made in conformity with

American Association of State Highway Officials designation T-99 and T-147.

The contractor and/or excavator shall be responsible and provide warranty for backfill in city streets and backfill under sidewalks, curbs, or other structures for a period of two years from the date of inspection by the Grantsville City Inspector. The bond as provided in Section 24-29 herein shall be held by the City for a period of two years. (R.O. 1953, Section 15-7).

Section 24-31. Use of pavement pads by equipment.

In order to avoid unnecessary damage to paved surfaces, track equipment shall use pavement pads when operating on or crossing paved surfaces.

Section 24-32. Restoration of surface.

- a. Duty of contractor: All street surfacing curbs, gutters sidewalks, driveways or other hard surfaces falling in the line of the work, which must be removed in the performance of the work, shall be restored in king by the contractor, unless otherwise directed, in accordance with the specifications contained in Section 24-30, governing the various types of surfaces involved.
- b. Time: In traffic lanes of paved streets the contractor shall provide temporary gravel surfaces or cold mulch in good condition immediately after the backfill has been placed and shall complete permanent repairs on the street, sidewalk, curb, gutter, driveway and other surfaces within five days from the date of completion of the backfill except for periods when permanent paving material is not available or when weather conditions prevent permanent replacement or when an extension of time is granted by the city inspector. If temporary repair has been made on a paved street with gravel and a permanent repair cannot be made within the time specified above, due to any of the above mentioned conditions, then the contractor shall be required to replace the gravel

with cold mulch as soon as possible. (R.O. 1953, Section 15-7)

Section 24-33. Same - bituminous, concretes or asphalts street surface.

- a. **Temporary gravel surface: Where excavations are made in paved areas, the surface shall be replaced with a temporary gravel surface. The gravel shall be placed deep enough to provide a minimum of six inches below the bottom of the bituminous or concrete surface. Normally this will require nine inches of gravel for bituminous surfaces, and twelve inches of gravel for concrete and concrete vase asphalt wearing surfaces. The temporary gravel surface shall be maintained by blading, sprinkling, rolling, adding gravel, etc., to maintain a safe uniform surface satisfactory to the inspector until the final surface is placed. Excess material shall be removed from the premises immediately.**

Material for use on temporary gravel surfaces shall be obtained from sound, tough, durable, gravel or rock meeting the following requirements for grading:

Passing 1-inch sieve	100%
Passing 3/4 inch sieve	85%-100%
Passing No. 4 sieve	45%- 65%
Passing No. 10 sieve	30%- 50%
Passing No. 200 sieve	5%- 10%

- b. **Bituminous surface: The exposed edges of existing pavement shall be primed with Type Mc-1 bituminous material. The type, grade, and mixtures of the asphalt to be used for street surface replacement shall be approved by the city inspector. The thickness shall be equal to the adjacent surface thickness but not less than three inches. The complete surface shall not deviate more than one half inch between the old and new work.**

Section 24-34. Same - concrete surfaces.

The sub-base shall be sprinkled just before placing the concrete. Joints and surfaces shall be made to match the original joints and surfaces. The thickness of concrete shall be equal to the adjacent concrete but in no case less than six inches thick. The mixing, cement, water content, proportion, placement and curing of the concrete shall be approved by the city inspector. In no case shall the concrete have less compressive strength than three thousand pounds per square inch at the end of twenty-eight days.

Section 24-35. Same - concrete base, bituminous wearing surfaces.

This type of surfacing shall be constructed as above described.

Section 24-36. Same - gravel surface.

Trenches excavated through gravel-surfaced area, such as gravel roads and gravel shoulders, unpaved driveways, etc., shall have the gravel surface restored and maintained as described in Section 24-33 except that the gravel shall be a minimum of one inch more than the thickness of the existing gravel.

Section 24-37. Protection of public.

Excavation operations shall be conducted in such a manner that a minimum amount of interference of interruption of street traffic will result. Inconvenience to residents and businesses fronting on public streets shall be minimized. Suitable adequate and sufficient barricades shall be available and used where necessary to prevent accidents involving property or persons. Barricades shall be in place until all contractor equipment is removed from the site and the excavation has been backfilled and proper temporary gravel surface is in place as specified in Section 24-32. From sunset to sunrise all barricades and excavations shall be clearly outlined by acceptable warning lights, lanterns or flares. Police and fire departments shall be notified at least twenty-four hours in advance of any planned excavation requiring street closure or detour. (R.O. 1953, Section 15-8).

Section 24-38. Relocation and protection of utilities.

The holder of a street excavation permit shall not interfere with any existing utility without the written consent of the administrative authority and the owner of the utility. If it becomes necessary to relocate an existing utility, this shall be done by its owner. No utility owned by the city shall be moved to accommodate the permitted, unless the cost of such work is borne by the permitted. The cost of moving privately owned utilities shall be similarly borne by the permitted, unless it makes other arrangements with the person owning the utility. The permitted shall support and protect, by timbers or otherwise, all pipes, conduits, poles, wires or other apparatus which may be in any way affected by the excavation work and do everything necessary to support, sustain and protect them under, over, along or across such work. In case any pipes, conduits, poles, wires, or apparatus should be damaged, and for this purpose pipe coating or other encasement or devices are to be considered as part of a substructure, they shall be repaired by the agency or person owning them and the expense of such repairs shall be charged to the permitted. It is the intent of this section that the permitted shall assume all liability is a contractual obligation of the permitted. The only exception will be such instances where damage is exclusively due to the negligence of the owning utility. The city shall not be made a party to any action because of this section. The permitted shall inform itself as to the existence and location of all underground utilities and protect the same against damage.

Section 24-39. Approval of method of jetting pipe.

Jetting pipe by means of water under pressure, or compressed air, is permitted only when approved by the city inspector.

Section 24-40. Notice to inspect; failure to comply with specifications.

The city department of inspections shall be notified at least four hours in advance of excavating and backfilling of an excavation so that an inspector can check the work. Failure to observe and comply with the specifications in Section 24-30 may result in the refusal of permits.

Section 24-41. Agreement to construct and install future offsite improvements.

Any person, persons or corporation who applies for a residential or commercial building permit for construction of any facilities upon a vacant unimproved lot or lots situated on an existing street within Grantsville City limits shall, prior to

receiving a building permit, enter into an agreement with Grantsville City providing for the future construction and installation of required improvements of curb, future and sidewalks on the said existing streets at such time as the installation and construction of said offsite improvements become feasible as determined by the Grantsville City Council. The costs of construction and installation of said improvements shall be paid by the landowner of said lot or lots at the time the City Council determines the improvements to be feasible pursuant to the agreement which shall be covenant running with the land, and upon the agreement being recorded in the office of the County Recorder of Tooele County, said agreement shall constitute a lien upon the land described in said agreement.

Section 24-42. Bond forfeiture.

The bond provided for in Section 24-29 of this Chapter shall be forfeited to the City if a project is not restored in a satisfactory manner as provided by the Grantsville City Ordinances, within 3 months after the date of the commencement of the bonded project. The bond may be held by the City for up to one-year following the completion of the bonded project. If during the one-year period, the City determines that the restoration was defective in any regard the City shall give the contractor notice of the defect. If the contractor fails to remedy the defect within 30 days after receipt of notice, the bond shall be forfeited to the City. When the City is assured that the project has been completed satisfactorily, or the one year period has elapsed the City shall notify the contractor of its intention to release the bond. If the contractor fails to redeem the bond within sixty days after receiving notice, the bond shall be forfeited to the City and shall revert to the Street Department Fund. Any forfeited bonds shall be used to restore all defective work and any excess amounts shall be tendered to the contractor after completion of the work. Anyone dissatisfied with a decision which forfeits a bond or a directive to restore defective work may appeal said decision to the City Council who may hear the appeal, or may appoint a hearing examiner to hear the matter and make written findings to the City Council who will decide the matter based upon said written findings. (Section 24-42 adopted by Ordinance Number 83-13 November 2, 1983.)

UPDATED 12/04